

PLEASE NOTE: In most BUT NOT ALL instances, the page and line numbering of bills on this web site correspond to the page and line numbering of the official printed version of the bills.

REFERENCE TITLE: children; medication; behavioral health

State of Arizona
Senate
Forty-sixth Legislature
First Regular Session
2003

SB 1034

Introduced by
Senators Jarrett, Bee, Anderson; Representatives Johnson, Pearce, Flake,
Graf; Senators Harper, Verschoor; Representatives Biggs, Hart, Pierce,
Quelland

AN ACT

AMENDING SECTION 8-827, ARIZONA REVISED STATUTES; AMENDING LAWS 2000, CHAPTER 369, SECTION 24; RELATING TO DEPENDENT CHILDREN.

(TEXT OF BILL BEGINS ON NEXT PAGE)

1 Be it enacted by the Legislature of the State of Arizona:

2 Section 1. Section 8-827, Arizona Revised Statutes, is amended to
3 read:

4 8-827. Medical examination pilot project; medical records

5 A. A medical examination pilot project is established. The department
6 shall administer the project. The department shall select two counties in
7 which to implement the pilot project. One county shall have a predominantly
8 urban population, and one county shall have a predominantly rural population.

9 B. THE PILOT PROJECT HAS THE FOLLOWING GOALS:

10 1. DETERMINE THE BEST MEANS TO CARE FOR CHILDREN WHO EXHIBIT
11 BEHAVIORAL HEALTH PROBLEMS.

12 2. PROVIDE ADDITIONAL SCREENING TO HELP DETERMINE THE MEDICAL CAUSE OF
13 BEHAVIORAL HEALTH PROBLEMS.

14 3. REDUCE MISDIAGNOSIS AND OVERPRESCRIBING OF PSYCHIATRIC MEDICATIONS.

15 4. REDUCE THE AMOUNT OF DRUGS PRESCRIBED AND THEREBY OFFSET THE COSTS
16 OF ADDITIONAL SCREENING.

17 ~~B.~~ C. The department shall provide a complete medical examination
18 conducted by a physician or other medical professional, including a screening
19 for behavioral health needs, for each child in the pilot project counties who
20 is the subject of a dependency petition filed by the department or who is
21 accepted into voluntary placement pursuant to section 8-806. The medical
22 examination shall be consistent with the early periodic screening, diagnosis
23 and treatment requirements contained in federal law and shall include a
24 complete developmental assessment and screening for behavioral health needs
25 if recommended by the examining physician. BEFORE A PHYSICIAN OR OTHER
26 MEDICAL PROFESSIONAL REFERS A CHILD FOR A BEHAVIORAL HEALTH ASSESSMENT, THE
27 FOLLOWING SCREENINGS MUST BE COMPLETED AND EVALUATED:

28 1. A FULL THYROID PROFILE.

29 2. AN ALLERGY SKIN TEST SCREENING.

30 3. AN IRON DEFICIENCY SCREENING.

31 4. A NUTRIENT DEFICIENCY SCREENING.

32 ~~C.~~ D. The medical examination shall be provided within fourteen days
33 of the filing of the dependency petition or the acceptance of a child into
34 voluntary placement, except that the examination may be delayed if, in the
35 opinion of the child's physician or other medical professional, the child's
36 medical or psychological condition precludes examination within the fourteen
37 day period. If the medical examination is delayed, the department shall set a
38 specific date on which the medical examination will be conducted.

39 ~~D.~~ E. If a child has been examined on an emergency basis before
40 receiving the examination prescribed by this section, the child shall still
41 be examined pursuant to this section unless the emergency examination
42 included all of the components of the examination prescribed by this section.

43 ~~E.~~ F. The department shall assemble all of the child's reasonably
44 available medical records and provide these records at or before the time of

1 the examination to the physician or other medical professional who is
2 conducting the examination.

3 ~~F.~~ G. After the examination is completed, the department shall
4 maintain a record of the results of the medical examination, including any
5 diagnosis and treatment recommendations. Notwithstanding section 8-807, the
6 department shall communicate the results of the examination to:

7 1. Any person or entity with whom the child is placed pursuant to a
8 court order.

9 2. Any person with whom the child is placed by the department pursuant
10 to section 8-806.

11 3. Any agency responsible for licensing persons with whom the child is
12 placed.

13 4. Any state agency responsible for providing evaluations or services
14 to the child or the child's family.

15 5. Any person the department determines should receive the information
16 to provide appropriate care for the child.

17 ~~G.~~ H. If, as a result of the examination, referrals are recommended
18 for further evaluation or treatment of the child, the department shall make
19 all necessary referrals.

20 ~~H.~~ I. At the preliminary protective hearing, the court shall review:

21 1. The department's arrangements for the medical examination of the
22 child.

23 2. The department's efforts to assemble the child's reasonably
24 available medical records.

25 3. The department's plans for communication of the results of the
26 medical examination.

27 ~~I. The department shall identify and collect information necessary to
28 evaluate the effectiveness of the pilot program. The department shall report
29 an analysis of this information to the legislature on or before December 31,
30 2002.~~

31 Sec. 2. Laws 2000, chapter 369, section 24 is amended to read:

32 Sec. 24. Delayed repeal

33 Section 8-827, Arizona Revised Statutes, ~~as added by this act,~~ is
34 repealed from and after June 30, ~~2003~~ 2006.

35 Sec. 3. Retroactivity

36 Laws 2000, chapter 369, section 24, as amended by this act, applies
37 retroactively to from and after June 30, 2003.